



COMMUNITY DEVELOPMENT
6101 SE Johnson Creek Blvd
Milwaukie OR 97206

PHONE: 503-786-7630

FAX: 503-774-8236

E-MAIL: planning@milwaukieoregon.gov

2016 Downtown Parklet Program

INFORMATION and APPLICATION

ABOUT THE PARKLET PROGRAM

Following in the footsteps of successful parklet programs in other cities, Milwaukie launched its Pilot Parklet Program in spring 2014 to evaluate how well parklets would serve downtown Milwaukie. As the 2-year pilot program was nearing the end, a public discussion and evaluation showed that the pilot program was a success. As of September 2015, the Downtown Parklet Program is a permanent Milwaukie program and applications for new parklets will be accepted on a rolling basis. The program allows downtown businesses and organizations to build a temporary platform or seating area in the on-street parking lane. The parklet extends the sidewalk space in order to add additional outdoor seating for a restaurant or to provide additional public space for people to stop, sit, and take in the life of the street. A parklet repurposes part of the street into a space for people.

KEY ITEMS

- **Eligibility:** Downtown Mixed Use (DMU) Zone only (see map). Private and hybrid parklets (associated with a business with table service) are limited to eating/drinking establishments in the downtown area. Public parklets (open to everyone) are not limited by type of establishment or entity.
- **Location Limitations:** The parklet program limits the number of allowed parklets as follows: in downtown, the total number of parking spaces to be taken up with parklets is 12 and there shall be no more than 1 parklet per block face.
- **Season:** The parklet program is seasonal and allows parklets from April 1 through November 30. Approved permits for this program typically expire in one year. The permit will be renewable annually, pending review and approval.
- **Applications:** Applications for renewing parklets must be submitted by February 1, 2016. Applications for new parklets will be accepted on a rolling basis. The new parklet form and renewal form are included in this packet.

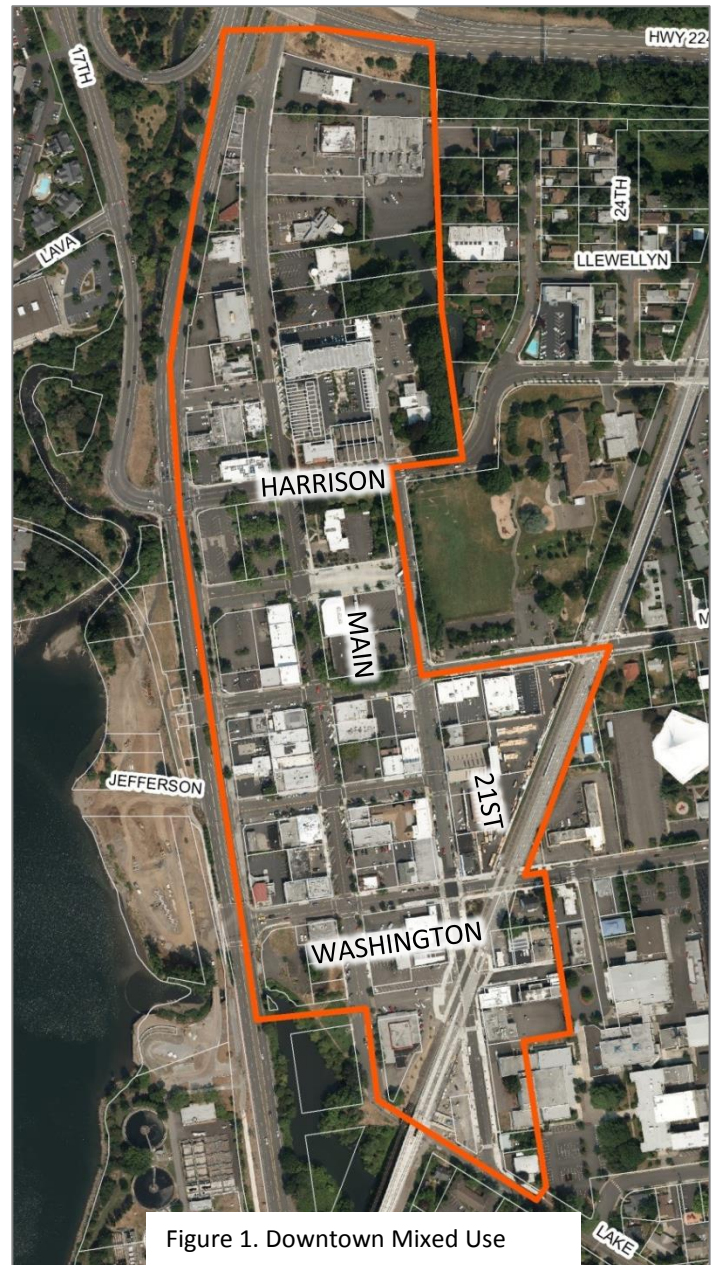


Figure 1. Downtown Mixed Use

- **Design Documentation:** A design document package is required at time of application submittal. Parklet applicants will be required to submit a complete set of proposal drawings in order to be considered for approval, including a full set of detailed design drawings.
- **OLCC:** If applicable, applicant is responsible for obtaining separate Oregon Liquor Control Commission (OLCC) permits.
- **Change in ownership:** If the business changes ownership the parklet/business owner will either need to remove the parklet or transfer the permit to the new owner.
- **Parking space marking:** Applicants recognize that parking space markings done by the City will not be done where parklets are in place.
- **Maintenance:** A parklet permit obligates the applicant to ensure that the facility is swept daily and debris is removed from under and around the platform a minimum of once a week. The applicant is subject to an approved Maintenance Plan as part of the permit and maintenance will be enforced by the City.

PUBLIC – PRIVATE – HYBRID

The downtown parklet program has three options for applicants: public, private, and a hybrid of both.

A public parklet creates a new public space adjacent to the sidewalk and is open to everyone. Similar to a miniature park, public parklets serve the community by providing a new place for people to stop, sit, and enjoy the life of the street.

Private parklets allow restaurants, cafes, and bars to extend outdoor seating into the parking lane and to provide table service and serve alcohol to customers only.

The hybrid parklet is a private parklet for the associated business during specified times, and a public parklet the remaining time.



FEES

Applicants for private parklets, who wish to allow for table service and/or the consumption of alcohol, will be charged \$40/month/parking space used in addition to the base permit fee. Hybrid parklets will receive a 25% discount on this fee. Applicants for private parklets will also be responsible for securing/updating an [extension of premises permit](#) from the Oregon Liquor Control Commission (OLCC), if applicable.

Public parklets will not incur the additional charge as they are not allowed to provide café table service. Public parklets must be signed as such and must be visually distinct from the sponsoring business.

Fee ¹	Amount
Base fee for all new parklet permits	\$150.00
Base fee for all renewing parklet permits	\$50.00
Right-of-Way Permit	\$150.00 + structural review fee (Varies based on cost of construction)
Private parklet permit for platform (if applicable) ²	\$40/mo/parking space
Hybrid parklet	\$40/mo/parking space with 25% discount
Public parklet	No fee for parking space
Additional incurred costs (if applicable)	~ \$150-\$500, TBD based on location ³
Signage for Public and Hybrid parklets	\$95

¹ Filing fee due at the time of application.

² Additional fees due at the time of approval.

³ If the parklet requires other changes to the street (e.g. parking sign or striping changes) the applicant will be responsible for those costs. City staff will provide accurate cost estimates of these charges based on location.



INSURANCE

If your application is approved, you will be required to provide evidence of liability insurance – the same requirement as sidewalk seating and temporary special events – naming the City of Milwaukie as additional insured. The insurance certificate is intended to protect the public from any liability it may incur as a result of granting the requested permit.

Minimum Requirements for Liability Insurance

The insurance shall provide coverage not less than \$1,000,000 (one million dollars) per occurrence.

The policy shall include the following endorsement:

"Without prejudice to coverage otherwise existing herein, the City of Milwaukie, its officers, agents, and employees are included as additional insureds under this policy as to any claim or claims for injury to person including death, or damage to property, resulting from or growing out of the operations of the permittee within the City of Milwaukie, Oregon."

Most businesses already carry this insurance; please check with your provider.

MAINTENANCE

The parklet will be owned and maintained by the applicant. The applicant is responsible for all costs associated with the design development, construction, installation, maintenance, and removal of the parklet. If an application is approved, this represents that the applicant shall keep the parklet free of debris, grime, and graffiti, and to keep all plants in good health.

The permit obligates you to ensure that the facility is swept daily and debris is removed from under (if applicable) and around the parklet a minimum of once a week. The applicant is subject to an approved maintenance plan and agreement as part of the permit and maintenance will be enforced by the City.

DESIGN EVALUATION

The following evaluation criteria will be used to evaluate the design submissions and award approvals:

- **Design quality:** The quality and creativity of the design; the quality and durability of proposed materials and furniture.
- **Streetscape enhancement:** How the proposal will enhance the aesthetic quality of the streetscape.

The City of Milwaukie reserves the right to adjust these requirements and standards as necessary to respond to existing conditions on a case-by-case basis.

For information and ideas regarding parklet design and construction, you are encouraged to review the following:

- City of San Francisco Parklet Program Manual:
http://pavementtoparks.sfplanning.org/docs/SF_P2P_Parklet_Manual_2.2_FULLL.pdf
- UCLA Parklet Toolkit:
<http://www.lewis.ucla.edu/publication/reclaiming-right-way-toolkit-creating-implementing-parklets/>

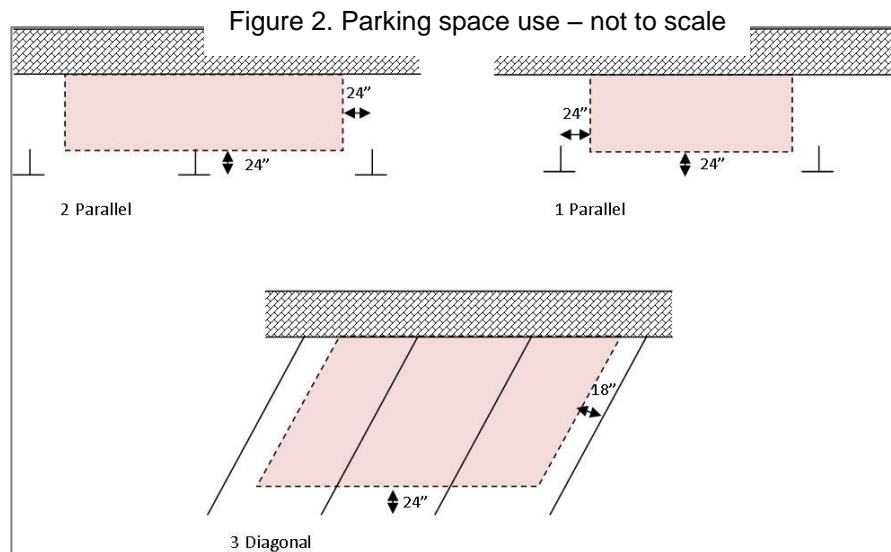
GENERAL GUIDELINES

- Private parklets must be located adjacent to the applicant's business; no more than one parklet per business will be permitted.
- Installation of a parklet platform is not required, provided that existing pavement is not damaged. All applicable design requirements apply.
- Design for easy removal. The parklet will sit on top of the existing street surface. Because parklets may sit on top of critical infrastructure and utilities such as gas lines, sewer and water mains, etc., they need to be designed for easy removal in case of an emergency.
- Advertising, logos, or other branding is prohibited.
- Smoking is prohibited in parklets.
- The proposal must include detailed plans for securing furniture when the business is closed.
- Maintenance and litter removal is the responsibility of the applicant/owner. Failure to maintain the parklet may result in the revocation of the permit and/or issuance of a noncompliance administrative fee of \$100 per day.
- Extended lack of use may result in the revocation of the permit.



LOCATION CRITERIA

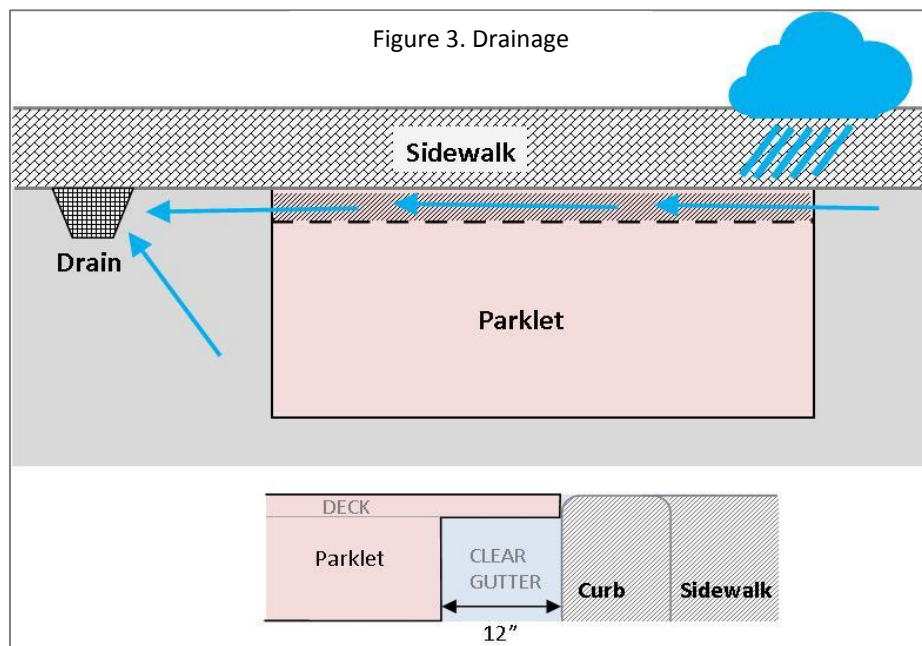
- Parklets are not permitted in front of fire hydrants, in active bus service areas, across driveways, or over manholes or public utility valves or covers (including water shut off valves).
- The proposed site should be located at least one parking spot in from a corner; otherwise a protected bollard, sidewalk bulb-out, or other similar feature must be present if located at the corner.
- Multiple businesses may propose a shared parklet; details regarding the shared use agreement must be included.
- For parklets proposed on parallel parking spaces, a maximum of two (2) parking spaces shall be used. For proposals using angled parking spaces, a maximum of three (3) parking spaces shall be used. For proposals using perpendicular parking spaces, a maximum of three (3) parking spaces shall be used. Refer to Figure 2 for details.



DESIGN ELEMENTS

- Parklet decking must be designed such that the parklet has a vertical lip of no more than 1/4 inch as it connects to the curb and may not have more than a 1/2 inch gap from the curb. The submitted design must demonstrate that the deck is compliant with ADA accessibility requirements. (See Design for Accessibility section).
- The parklet design may include vegetation in the form of planters.
- The use of high quality, durable materials capable of withstanding year-round use is encouraged.
- All rails must be capable of withstanding a 200-lb horizontal force. No wall, planter, or rail may be lower or higher than forty-two (42") inches, as measured from the walking surface.
- Design must maintain a minimum 5-ft clear pedestrian through-zone in the sidewalk corridor.
- Parklet footprint: parallel parking. Twenty-four (24") inch setback on either end of the parklet, adjacent to parallel parking, and to the roadway, shall be maintained. Wheel stops may be used but are not required. If proposed, wheel stops will be installed by the applicant and inspected by the City after final facility construction/installation is complete.

- Parklet footprint: diagonal parking. For diagonal and perpendicular spaces, the edge of the parklet must be set back eighteen (18") inches from the adjacent parking space on either side. This setback space must be included within the parklet space, and not be taken from the adjacent space.
- Parklet design must include a physical barrier along the street while maintaining clear visual sightlines to the street. Vertical elements, such as planters and umbrellas, should be included so that the facility is visible to vehicles.
- To protect a parklet in a parallel parking space from parking maneuvers, substantial planters, weighted bollards, or other structures that can withstand light vehicular impact, must be installed on either end of the parklet and at the street edge. Parklets in diagonal parking spaces are not required to have such substantial edge materials, except for the side and corners at the street edge. Additional traffic safety items may be added to the final design by City staff.
- The proposed number of tables and chairs shall be approved by the City. Furniture must be able to accommodate those with disabilities, wheelchairs, or mobility devices.
- Surface materials: loose particles, such as sand or loose stone, are not permitted on the parklet. A non-slip surface is required.
- The parklet platform may not be attached to or damage the street and must be easily assembled and disassembled. Any damage to the street is the responsibility of the applicant.
- The parklet platform must be designed to allow for curblane stormwater drainage and include a minimum twelve (12") inch gutter bar. Please refer to Figure 3. The parklet platform must be designed to not allow debris to collect underneath the deck.



- The parklet platform must be designed to accommodate the crown and cross slope of the street surface.
- All plans must clearly articulate the spans and supports to be used for the body of the parklet.
- Roof structures, canopies, covers, etc., are permitted in parklets.

- Applicants interested in overhead structures or other architectural features that may catch wind must demonstrate that the structures have the ability to withstand wind loads specified by the Engineering Department. Applicants must demonstrate that said structures and canopies pose no risk to the surrounding neighborhood during storms or other instances of severe weather conditions. The Engineering Department may require the plans for overhead structures like canopies to be stamped by an engineer to ensure they are designed in accordance with building code wind and snow load criteria.
- Any proposed overhead structure or other architectural feature shall not be designed to concentrate stormwater runoff unless with an approved collection system approved by the Engineering Department in accordance with Building Code criteria.
- Applicants proposing a cover must demonstrate that visual obstruction to adjacent businesses, both to storefronts and identifying signage, is minimized.
- Umbrellas are permitted; adequate line of sight must be maintained and the umbrellas must be contained within the parklet.
- For hybrid parklets, amenities such as seating must be present at all times so that people can use the space during non-serving hours.
- Identifying signage is required for both public and hybrid parklets. The City will provide a parklet sign to install on the parklet. This required sign should be mounted to the parklet in a place that is highly visible to passing pedestrians.
- Lighting that extends across the sidewalk must be a minimum of 8 ft above the sidewalk.
- Portable outdoor gas-fired heating appliances (such as propane heaters)⁴:
 - Are prohibited inside of tents, canopies, and membrane structures;
 - Shall be located at least 5 ft from buildings;
 - Shall not be located beneath or closer than 5 ft to combustible overhangs, sunshades, or similar combustible attachments to buildings.

⁴ Oregon Fire Code: Building Services and Systems Section 603.4.2

DESIGN FOR ACCESSIBILITY – ADA COMPLIANCE

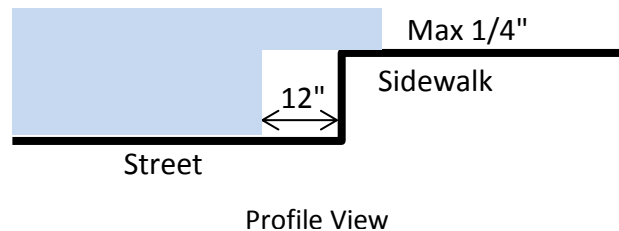
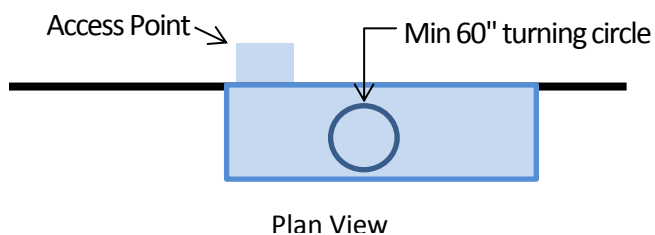
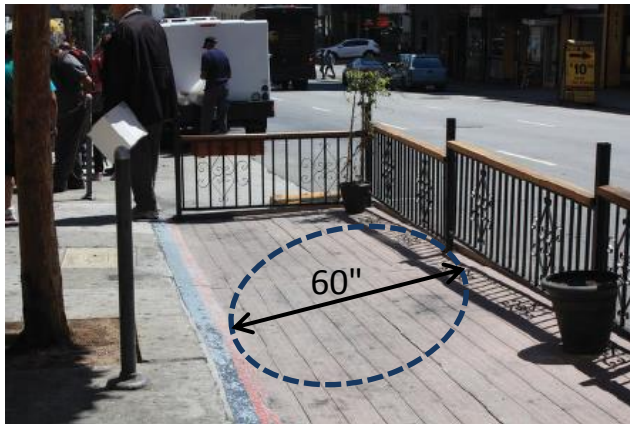


A pre-application meeting with City of Milwaukie Engineering staff is strongly recommended to review the proposal relative to ADA accessibility issues. Please contact the Engineering Department at 503-786-7606 or engineering@milwaukieoregon.gov to discuss options and scheduling.

Everyone should be able to enjoy parklets. To achieve this goal, the parklet must be accessible as required by the Americans with Disabilities Act (ADA). The design must incorporate at least one ADA access point. Seating must be accessible and meet ADA requirements for the turning movement (sixty (60") inch diameter turning circle) and the resting space of a wheelchair. The maximum vertical gap between the curb and the parklet decking is 1/4 inch. Additional ADA treatments, such as a ramp or beveled edge, may be required if the vertical gap exceeds 1/4 inch. Where tables, counters, or drink rails are provided, at least one of each feature should be wheelchair accessible.

ADA Access:

Maximum Vertical Gap



PARKLET APPLICATION AND PROCESS

The following is an overview of the parklet application, approval, and installation process:

1. Applicant reviews application materials and design guidelines.
2. A location is selected that meets location criteria.
3. It is strongly recommended that applicants request a meeting with City staff to review design ideas prior to submitting an application.
4. Business and property owner approvals are obtained through the Application Form.
5. Work begins on detailed design document package.
6. Applicant should consider contacting City staff with any questions about their application submission. Questions can be sent to planning@milwaukieoregon.gov.
7. Completed applications, permits, and all required attachments and fees are submitted to the Building Department.
8. The City will review the applications for completeness and that all design guidelines have been met. Incomplete applications will need to submit any required information.
9. Applications are reviewed for design and technical requirements.
10. Applicants with approved permits will be contacted by City staff to schedule a preconstruction on-site visit if needed.
11. Installation must occur within 30 days of permit issuance.
12. Once installation is complete, applicant is required to notify the City within 48 hours of the completion of parklet construction to schedule a post-construction on-site inspection.
13. Post Construction: The City will continue to monitor the parklet for compliance with your revocable permit and design guidelines. Failure to comply may result in revocation of your permit. The City may also request your participation in assessments and studies of the program.

DEVELOPING THE DESIGN DOCUMENT PACKAGE

Quality of design will be one of the prioritized evaluation criteria.

Site locations and parklet design are approved by City staff based on the attached Design Guidelines. Applicants are encouraged to communicate with staff during the design development phase. Staff can help flag potential design concerns early on, and foresee potential issues that could arise later in the process.

Hiring a professional engineer is not required. Use of Google Earth or similar technology for planning purposes is sufficient, but accurate measurements are required for design details. Please provide as much detail as possible – it will speed the process of reviewing the application. The City prefers documents in 11" x 17" format.

1. **Parklet Location and Context Plan:** This drawing should show the parklet footprint in relation to the surrounding streetscape context. It should include the footprint of the proposed platform in context with the surrounding streetscape, including:
 - footprint of the proposed parklet
 - building footprints and entrances
 - sidewalk width
 - existing parking stalls
 - existing curb cuts and driveways
 - adjacent bike lane and auto lanes
 - all surface obstructions within 15 ft of the proposed area (e.g. fire hydrants, utilities, streetlights, parking meters, street trees, tree pits, etc.)
 - required setbacks from adjacent parking stalls
2. **Detailed Design Plan:** This is a top-view drawing of your parklet design and should include:
 - Various elements included in the design.
 - Different materials to be used.
 - Plant types and/or species to be used.
 - Parklet dimensions and elements (including required buffer areas).
 - ADA compliance.
 - A detail showing how you will maintain positive drainage flow along the curb line.
3. **Elevations:** These are side-view drawings of your proposed design and should include:
 - Various elements included in the design.
 - Different materials to be used.
 - Dimensions of platform, parklet elements and buffer areas.
 - Sidewalk width, building front, surface obstructions, etc.
4. **Renderings and Perspectives (optional)**
5. **Right-of-Way Permit application** including right-of-way use drawing, construction plan, and traffic control plan. This drawing identifies any right-of-way area to be temporarily used during the construction of the parklet. Identify any area of the street, parking spaces, sidewalk, etc., that are proposed to be temporarily used. A minimum of 5 ft of clear sidewalk access for pedestrians must be maintained at all times. Indicate the duration of construction including proposed dates and times.
6. **Construction Drawings:** These drawings should show how your parklet will be assembled or constructed. They will include:
 - Confirmation of all dimensions and materials to be used in the design.
 - Any hardware such as fasteners to be used in the construction process.
 - A detail showing how you will accommodate existing curb height and the cross slope of the road surface.
 - A site plan identifying limits of construction